

2007. The celebration will feature an array of events, such as the Queen's Ball, Historic Home Tours, Commemorative Post Mark, Pumpkin Festival Parade, Carnival Rides, Historic Train Rides, Time Capsule Dedication, live musical performances, art show, and golf tournament.

French Lick has a long and distinguished history. In the 1800s, as pioneers began settling the Indiana Territory, one of the few roads connecting Louisville and Vincennes was the buffalo trail through current day French Lick. Several pioneers established hotels and other business trades along the route, leading to the founding of French Lick in 1857. Some of these early residents included the likes of Dr. William Bowles, who constructed the first health resort sometime between 1840 and 1845; Charles Edward Ballard, the town's most famous entrepreneur known for his successful management of saloons and casino operations; and Ferdinand and Henry Cross, brothers whose artistic talents enriched the lives on travels to the town. Henry's work would later be used for the sketch of the buffalo on the United States nickel.

The tourist demand for French Lick's magical, health-rejuvenating water led to the construction and remodeling of the French Lick Hotel. One of the hotel's most famous owners was a resourceful entrepreneur named Thomas Taggart. Taggart, who served in several elected positions including as Mayor of Indianapolis and as a U.S. Senator, also lead the State Democratic Party beginning in 1892 and the National Democratic Party in 1905. After fire destroyed part of the original hotel, it was Taggart that expanded and rebuilt the facility with its trademark yellow brick, six story front. Thousand of travelers flocked to the new hotel as a resort destination prior to traveling to other destinations or attending popular events such as the Kentucky Derby in nearby Louisville, KY.

The mineral springs of the French Lick area brought many travelers to the region, but it was the gambling that established the Spring Valley as the leisure destination during the first half of the twentieth century. Although seen as a "victimless crime" to many, gambling was illegal and in the late 1940s raids on several casinos ended the practice in the area. The resulting loss of tourism to the area created an economic hardship in the region and the French Lick Hotel passed among several owners. It was in the late 1990s that residents of the town and surrounding region, aided by Historical Preservationist such as William Cook, began restoring the Grand Hotels of the area. Coupled with the legalization of gaming in 2003, the French Lick Springs Resort Hotel and town has returned to its formed grandeur as a resort and leisure destination.

Congratulations French Lick on this historical occasion. All Hoosiers look forward to seeing how this unique and wonderful town develops for decades to come.

PERSONAL EXPLANATION

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 2007

Mrs. CAPPS. Madam Speaker, I was not able to be present for the following rollcall

votes on September 24, 2007. I would have voted as follows: Rollcall No. 891: "yea"; rollcall No. 892: "yea"; rollcall No. 893: "yea"; and rollcall No. 894: "yea".

PROTECTING EMPLOYEES AND RETIREES IN BUSINESS BANKRUPTCIES ACT OF 2007

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 2007

Mr. CONYERS. Madam Speaker, the "Protecting Employees and Retirees in Business Bankruptcies Act of 2007," addresses the vast inequities in current bankruptcy law with respect to how American workers and retirees are treated, an area long-neglected by Congress.

The rights of workers and retirees have greatly eroded over the past two decades, particularly in the context of Chapter 11. Let me just cite three reasons.

First, it is no secret that certain districts in our Nation interpret the law to favor the reorganization of a business over all other priorities, including job preservation, salary protections, and other benefits. Part of the problem is that the law is simply not clear, leading to a split of authority among the circuits.

This is particularly true with respect to the standards by which collective bargaining agreements can be rejected and retiree benefits can be modified in Chapter 11. Businesses, as a result, take advantage of these venue options and file their Chapter 11 cases in employer-friendly districts. This was one of the main reasons that Delphi, a Michigan-headquartered company, filed for bankruptcy in New York.

Second, it is clear that at least some businesses use Chapter 11 to bust unions or to at least give themselves unfair leverage in its negotiations with unions. According to a recently released GAO analysis that I requested nearly 2 years ago, 30 percent of companies in the study sought to reject their collective bargaining agreements in bankruptcy. Nearly as many companies took advantage of special provisions in the Bankruptcy Code by employers that can modify retiree benefits.

Let me be specific here. What we are talking about is terminating retiree health care benefits, medical benefits, prescription drug benefits, disability benefits, and death benefits, among other protections.

And, remember that these benefits were bargained for in good faith by hardworking Americans who gave their all to their employers and now are in retirement. This is a travesty.

Third, as a result of Chapter 11's inequitable playing field, employers are able to extract major concessions from workers and retirees, while lining their own pockets. As we learned at a hearing held earlier this year by the Subcommittee on Commercial and Administrative Law, executives of Chapter 11 debtors often receive extravagant multi-million dollar bonuses and stock options, while regular workers are forced to accept drastic pay cuts or even job losses and while retirees lose hard-won pensions and health benefits.

As many of you know, the Ford Motor Company reported a record \$12.7 billion loss for last year. But what many of you may not know

is that Ford paid \$28 million to its new CEO, Alan Mulally, in his first 4 months on the job. This disclosure comes as companies like Ford, General Motors, and DaimlerChrysler are in the midst of negotiations with unions to obtain concessions and labor cost savings when their current contracts end in this month.

A factor that will likely be present at the bargaining table is the threat of a potential Chapter 11 filing. As many of you know, the United Auto Workers yesterday announced a strike at General Motors principally because GM wants to shed more than \$50 billion in future health care benefits for retirees.

We need to restore the level playing field that the drafters of Chapter 11 originally envisioned and to ensure that workers and retirees receive fair treatment when their company is in bankruptcy. It is time that we include the interests of working families in the bankruptcy law and consider how we can add a measure of fairness to a playing field that is overwhelmingly tilted against workers.

My bill addresses these problems by:

Increasing the amount by which unpaid wage and employee benefit claims would be entitled to payment priority;

Creating a more level playing field for employees in Chapter 11 cases where employers want to terminate jobs, reduce wages, reject collective bargaining agreements, and terminate medical benefits for retirees;

Prohibiting companies in bankruptcy from paying lavish performance bonuses and incentive compensation to key management; and

Ensuring that the bankruptcy judges have clear statutory guidance that the purpose of Chapter 11 is—to the greatest extent possible—maximize assets so as to preserve jobs.

I will urge prompt consideration of this legislation by the Subcommittee on Commercial and Administrative Law and further proceedings by the House Judiciary Committee.

EQUITY FOR OUR NATION'S SELF-EMPLOYED ACT OF 2007

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 2007

Mr. HERGER. Madam Speaker, with nearly 47 million uninsured in America, rising health care costs, and a federal health entitlement system that is simply unsustainable in the long run, America is truly on the verge of a health crisis. Yet despite the looming fiscal insolvency of Medicare and other challenges facing U.S. health care, Congress is preparing now to approve one of the largest expansions of government health care in decades. Mr. Speaker, we must change course in today's debate, and address the root problems facing our health system. And true change can be achieved only through working together on a bipartisan level.

It is for this very reason that I am pleased to join with my colleague from the other side of the aisle, Representative RON KIND of Wisconsin, in introducing truly collaborative, bipartisan legislation that would help expand health coverage to millions of currently uninsured American taxpayers. Our legislation, the "Equity for Our Nation's Self-Employed Act of 2007," would correct an inequity that currently

exists in our tax laws to help make quality health care more affordable for millions of Americans. It achieves this by allowing the self-employed to fully deduct their health insurance premiums for the purposes of both income tax and self-employment tax.

Although many consider themselves "self-employed," only the owners of businesses that are organized as sole proprietorships pay the self-employment tax or SET. Across the U.S. there are more than 21 million sole proprietors who could be subject to some level of self-employment tax. In my own home State of California, there are more self-employed individuals than anywhere else in the country, with roughly 13 percent of the Nation's sole proprietorships, or more than 2.8 million self-employed individuals. The vast majority of the businesses owned by self-employed sole proprietors are small and micro-businesses with 10 or fewer employees. Despite their size, however, these businesses generate more than \$800 billion in economic activity in the U.S.

The self-employment tax serves as a proxy for Federal FICA payroll taxes, which other business combinations like C-corporations, limited liability partnerships and S-corporations withhold and pay on behalf of their employees. The SET tax rate is 15.3 percent, representing both the traditionally withheld employee share of 7.65 percent of wages (for Social Security and Medicare) plus the employer's matching share of 7.65 percent. Unlike other businesses, however, the SET applies to all income generated from the sole proprietorship.

At the crux of the current disparity is that all businesses apart from sole proprietorships can deduct employee health care premiums as normal business expenses before taxes. While self-employed taxpayers may deduct 100 percent of their health premiums for regular income tax purposes, sole proprietorships frequently pay more for insurance simply because these expenses are then subjected to the SET of 15.3 percent. One of my constituents, a micro-business owner named Gloria, who lives in Redding, California, reported that she pays about \$1,300 more on health insurance each year because of the SET. Another constituent, Tom, from Anderson, pays \$900 more for health care each year because of this increased payroll tax. By extending the health deduction to the self-employment tax, we would level the playing field for sole proprietors like Gloria, Tom and the more than 2.8 million self-employed Californians who cannot currently deduct their health coverage costs as a business expense.

Several of my sole proprietor constituents have commented on the rising costs of health care, and how the SET prohibits them from putting this extra amount they pay in taxes to better use expanding their business or purchasing more health coverage for themselves and their employees. Nationwide, more than half of all sole proprietors report that they are unable to purchase health insurance at all, citing affordability as a chief concern. Of these small business owners, more than 80 percent stated they would be more likely to purchase health insurance if it was deductible from payroll taxes through SET deductibility.

Owning and operating a small business in the United States has always been and continues to be extremely risky, with many small businesses not surviving the first 5 years of operation. However, despite great challenges,

small businesses provide nearly two-thirds of all new job creation in our country, employing tens of millions of workers and providing a higher standard of living for millions of American families. The difference between low or high taxes can make or break a firm, and mean the difference between profitability and continued entrepreneurial investment to survive, or going out of business. A recent report by the Small Business Administration's Office of Advocacy confirms this about the SET in particular, finding that extending the health insurance deduction for the SET actually increases the probability that a micro-business will remain in the market.

Madam Speaker, around 60 percent of America's uninsured individuals work for small businesses that cannot afford to provide coverage. Our simple, bipartisan legislation would help millions of sole proprietors and their employees better afford coverage by allowing a tax deduction for 100 percent of health insurance expenses from payroll taxes, just like other businesses in the U.S. I thank my colleague from Wisconsin for his leadership on this legislation, and look forward to working to enact it.

RECOGNIZING NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 2007

Mr. AL GREEN of Texas. Madam Speaker, I wish to recognize the importance of National Historically Black Colleges and Universities (HBCU) Week which was celebrated September 9 through September 15, 2007. During Historically Black Colleges and Universities Week, all Americans are encouraged to highlight our Nation's commitment to these notable institutions and their efforts to provide more Americans with the tools to accomplish their goals, realize their full human potential, and contribute to the advancement of our country's great ideals.

We must continue to provide our strong support to HBCUs so that every citizen can enjoy a future of hope, accomplishment, and opportunity. We commend these great institutions as they build on a foundation of continued success for every college student.

There are 114 historically black colleges in the United States today, including 2-year and 4-year institutions as well as public and private institutions. Most are located in the Southeastern United States. Four are located in the Midwestern states (two each in Missouri and Ohio), two are located in Pennsylvania, one is in Delaware, nine in Texas, and one is in the Virgin Islands. It is fitting that we take this week to honor all of these institutions for their service, accomplishment, and continuing legacy.

It is important that we as a nation take a moment to reflect on the tremendous service HBCUs have provided on behalf of our great Nation. America's HBCUs have a proud and solid tradition. Since their inception, HBCUs have furthered the development of African Americans who have become leaders in science, health, government, business, education, the military, law, and world affairs.

Graduates of HBCUs have made great contributions to our society, and America, and they continue to serve as role models for all Americans.

As a graduate of Texas Southern University, I understand the vital importance that Historically Black Colleges and Universities play in the advancement of minority education and empowerment. I will continue to work with my colleagues in preserving the educational institutions that have given knowledge and hope to so many minorities for so many years.

Madam Speaker, I urge my colleagues to join me in recognizing the importance of National Historically Black Colleges and Universities Week.

IN HONOR OF THE TOWERS AT WILLIAMS SQUARE WINNING THE 2007 INTERNATIONAL TOBY AWARD

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 2007

Mr. SESSIONS. Madam Speaker, I rise today to congratulate Cousins Properties, TIAA Realty, and the Towers at Williams Square for winning the coveted 2007 International The Office Building of the Year (TOBY) Award.

The Towers at Williams Square made Dallas Building Owners and Manager Association, BOMA, history as the first local association to win an International TOBY in the over 1 million square feet category. After losing to The Crescent at the local level in 2001, the Towers at Williams Square re-entered in 2007; this time winning at the local and regional levels before advancing to the international competition. The TOBY Award recognizes excellence in building office management and operations worldwide and speaks loudly of the value and contributions that Cousins Properties and TIAA Realty have brought to the Towers at Williams Square and the surrounding local community.

It is home to the "Mustangs of Las Colinas" sculpture and museum and was originally created as the symbolic center of Las Colinas. The Greater Irving—Las Colinas Chamber of Commerce will gather members of the local community to celebrate this prestigious honor that has bestowed on the Towers at Williams Square. Madam Speaker, I ask my esteemed colleagues to join me in congratulating them.

VIETNAM SEEKING TO BECOME NON-PERMANENT MEMBER OF U.N. COUNCIL

HON. DANA ROHRBACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 25, 2007

Mr. ROHRBACHER. Madam Speaker, it was very disturbing to learn that the Vietnamese dictatorship is seeking to become a nonpermanent member of the U.N. Council when the 62nd session of the U.N. begins to meet this week. Vietnam's Prime Minister Nguyen Tan Dung is scheduled to address the General Assembly on Thursday.

It is great shame that in 2006 the Bush administration's State Department removed Vietnam from the list of Countries of Particular